
PUBLIC NOTICE

The Town of Amherst of Amherst Planning Commission will hold a public hearing on June 5, 2013 at 7:30 PM in the Town Hall at 186 S. Main Street. The subject of the hearing is a proposed amendment to the Zoning and Subdivision Ordinance that would, if approved:

- 1.allow townhouse developments with no more than four units as a permitted use in the General Residential District R2, and
- 2.allow townhouse developments with no more than four units as a use allowed after approval of a special use permit in the Limited Residential District R1.

Information pertaining to this request is on file and available for review in the Town Hall weekdays between 9:00 AM and 5:00 PM and at www.amherstva.gov.

TABLE 7.1

A-1	R-1	R-2	T-1	R-3	R-4	B-1	CBD	B-2	E-1	M-1	Description of Use
ACCESSORY AND AGRICULTURAL USES											
P	P	P	P	P	P	P	P	P	P	P	Accessory buildings and uses as provided in Section 901 herein.
P	P	P	P	P	P	P	P	P	P	P	Agricultural activities, including the raising of crops and animals, provided that agricultural use shall not be objectionable by reason of odor, dust, noise, pollution, erosion or drainage.
							P	P	P	P	Antenna and equipment buildings associated with existing wireless telecommunication facilities as provided in Section 914 herein.
									P	S	Cemeteries.
S	S	S	P	S	S	P	P	P			Church accessory uses involving 2,000 SF or more of building area, including day care centers, indoor recreation or fellowship halls, and schools.
P	P	P	P	P	P	P	P	P	P	P	Confined livestock facilities as provided in Section 916 herein.
P	S	S	S	S	S	P	P	P			Home occupation in an accessory building to the main dwelling unit as provided in Section 905 herein.
P	P	P	P	P	P	P	P	P			Home occupations within a dwelling unit as provided in Section 905 herein.
P	P	P	P	P	P	P	P	P	P	P	Public utilities: poles, lines, transformers, pipes, meters, and/or other facilities necessary for the provision and maintenance of public utilities; provided that electric service lines from the street property line to any residence or other permitted use shall be underground. Provided that only one line of poles will be allowed on any street.
P	P	P	P	P	P	P	P	P	P	P	Signs as provided in Section 908 herein.
S	S	S	S	S	S	P	P	P	P	P	Temporary uses including, but not limited to, sale of Christmas trees, tents for revivals, carnivals, but such use not permitted for a period to exceed four (4) months in any calendar year.
RESIDENTIAL USES											
S	S	P	P	P	P						Apartments in an existing single family dwelling.
P	S	S	P	S	S	P	P	P			Bed and Breakfast lodging, provided that the owner and family must occupy the residence and own the business, the single-family dwelling appearance be maintained, and adequate off-street parking is provided to the rear of the front setback of the dwelling.
P	P	P	P	P	P	P	P	P			Churches, manses, parish houses and adjacent cemeteries.
P	P	P	P	P	P	P	P	P			Garages, private.
P					S						Individual manufactured or modular homes nineteen (19) feet or greater in width placed on continuous masonry foundations.
					S						Manufactured home parks, as provided in Section 913 herein.
				P		P	P	P			Multi-family dwellings with an aggregate of three (3) or more units as specified in Section 906 herein.
S	S	S	S	S	S	S	S	S			Planned unit developments, as provided in Section 917 herein.
P	P	P	P	P	P	P	P	P			Single-family dwellings, except for mobile homes and manufactured homes.
							P				Single family, two family and multifamily dwellings within a building that contains a business, provided that no dwelling shall be on the sidewalk-level floor of the front of the building.
			P	P		P	P	P			Townhouses, as provided in Section 912 herein, and condominiums.
	S	P									Townhouses, as provided in Section 912 herein, with no more than four townhouses within any one development.
P		P	P	P	P	P	P	P			Two-family dwelling units and semi-detached dwellings.

Sec. 18.1-912. Townhouses

Sec. 18.1-912.01 Minimum lot area, lot width and yard requirements.

Townhouse lots for sale shall adhere to the following minimum requirements:

1. Lot Area - Each townhouse shall be located on a lot of not less than 1,200 square feet in area.
2. Unit Width - A minimum width of sixteen feet per lot shall be maintained.
3. Front yard - There shall be a minimum ten (10) foot front yard (area between front door and front of lot, or parking area, or other common area).
4. Side Yard - There shall be a side yard of not less than sixteen (16) feet in width at each end of a group of units (not to be shared between units).
5. Rear Yard - There shall be a rear yard with a depth of not less than twenty-five (25) feet for each unit (not to be shared between units).

Sec. 18.1-912.02 Development perimeter yard requirements.

Each townhouse development shall have a perimeter yard on the rear and side property lines of the total site equal to at least 25 feet except where the development is within or abuts a R-1 or R-2 Residential District, in which case the perimeter yard shall be at least 50 feet. The required development perimeter yard may include the side and rear yards required for each townhouse. The required front yard for the zoning district in which the development is located shall apply for the townhouse development along the front property line of the total site which may include the required front yard for each townhouse.

Sec. 18.1-912.03 Height restrictions.

Height shall be no more than forty (40) feet measured from the average level of the ground adjacent to the front exterior wall.

Sec. 18.1-912.04 Maximum lot coverage.

The maximum lot coverage for interior townhouse lots for sale shall be fifty (50) percent and for end and/or corner lots shall be forty (40) percent.

Sec. 18.1-912.05 Common areas.

Each townhouse development shall provide at least ten (10) percent of the development site for areas of common use which includes such uses as parking, walkways, streets not dedicated to the Virginia Department of Transportation, recreation facilities, picnic areas, refuse collection, utility easements, and similar activities. The following minimum requirements for common areas shall be adhered to:

1. Off-street parking shall meet the requirements set forth in Sections 18.1-602 and 18.1-603 herein. Required parking spaces shall be provided within the perimeter of the townhouse development and no farther than two hundred (200) feet from the facilities served. Off-street parking shall be designed to produce the minimum possible interference with pedestrian circulation within the townhouse development.

2. Tot lots and swimming areas shall be adequately enclosed, and all recreational areas shall be located away from the concentrations of vehicular traffic.
3. Fencing or vegetative screening shall be provided to a height of six (6) feet and of such a density that no part of the development shall be visible to a casual observer on any side of the development abutting any yard of a residential or nonresidential structure. Provided that where natural features such as topography or natural vegetation are preserved and prevent the development from being casually visible from adjoining properties, the board of appeals may waive requirements for screening. Fencing where required shall be maintained in a safe condition, shall be painted, and shall be kept in good repair.
4. Paved common walks of a width of at least four (4) feet shall be provided from each dwelling unit to common areas within the townhouse development, and wherever concentrations of pedestrian traffic can be expected, as between recreational facilities, walks may be incorporated into the street curb. Walk grades shall not exceed ten (10) percent; lights shall be provided sufficiently to illuminate steps.

Sec. 18.1-912.06 Preservation and maintenance of common areas.

All common areas shall be preserved for their intended purpose as expressed in the approved subdivision plat. The preservation and maintenance of all common areas within the townhouse development shall be in accordance with the following requirements:

1. All deeds shall include appropriate restrictions to insure that common areas are permanently preserved according to the subdivision plat. The deed restrictions shall run with the land and be for the benefit of present as well as future property owners and shall contain a prohibition against partition.
2. All common areas shall be specifically included in the development schedule and be constructed and fully improved by the developer.
3. All common areas shall be placed in the ownership and control of a non-profit association capable of providing adequate maintenance.
4. The developer shall establish a non-profit association, corporation, trust or foundation of all individuals or corporations owning property within the townhouse development to insure the maintenance of common areas. Said organization shall conform to the following requirements:
 - a. The developer must establish the organization prior to the sale of any lot or property and shall relinquish control of said organization when voted upon by the membership of the organization.
 - b. Membership in the organization shall be mandatory for all property owners, present and future, within the townhouse development and said organization shall not discriminate in its members or shareholders.
 - c. The organization shall manage all common areas within the townhouse development, shall provide for the maintenance, administration and operation

of said land improvements and shall secure adequate liability insurance on the common areas.

- d. The organization shall conform to the Condominium Act, Sections 55-79.39 through 55-79.103, Code of Virginia, 1950, as amended.

Sec. 18.1-912.07 Streets and utilities.

All streets and utilities within the townhouse development shall meet the following requirements:

1. The traffic circulation pattern, the street dimensions, curbs and gutters (if provided) and curb cuts shall meet the specifications of the Virginia Department of Transportation and Sections 33.1-197 and 198 of the Code of Virginia, 1950, as amended, and the Minimum Standards of the Entrances to State Highways and be approved by the resident engineer prior to the approval of the site plan.
2. All dwelling units shall be connected to the Town of Amherst water and sewerage systems
3. The site storm drainage system shall drain to any existing natural drainage system. On-site retention of storm waters is encourage provided that it is in compliance with requirements of Section 15.1-867 of the Code of Virginia, 1950, as amended, and the sediment basin design standards of the Erosion and Sediment Control Handbook. All storm drainage facilities shall meet the requirements of the health department.
4. All utilities shall be underground.

Sec. 18.1-912.08 Subdivision plat and site plan requirements.

In addition to the subdivision plat requirements herein, the submittal of the subdivision plat that includes townhouses lots shall be accompanied by a special site plan for the townhouse development only as provided for Article XI herein.